

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE

American Humanist Association; John Doe)
and Jane Doe, as parents and next friends of)
their minor child; Jill Doe,)

Plaintiffs,

VS.

Greenville County School District,

Defendant.

C/A No. 6:13-02471-BHH

ORDER

This matter is before the undersigned on Plaintiffs’ unopposed motion for leave to proceed anonymously and leave to file true identity under seal. [Doc. 6; *see also* Doc. 77 (Order referring motion).] Plaintiffs, a former fifth-grade student at Mountain View Elementary School (the “School”), her parents, and the American Humanist Association, brought this action under 42 U.S.C. § 1983, alleging that the Greenville County School District infringed upon their First Amendment rights by holding the School’s graduation ceremony at a religious venue and by incorporating prayer as a part of the official graduation program. [Doc. 1.]

The Fourth Circuit Court of Appeals has outlined the following factors to consider when determining whether to permit parties to proceed anonymously: (1) whether the justification asserted by the requesting party is merely to avoid the annoyance and criticism that may attend any litigation or is to preserve privacy in a matter of sensitive and highly personal nature; (2) whether identification poses a risk of retaliatory physical or mental harm to the requesting party or even more critically, to innocent non-parties; (3) the ages of the persons whose privacy interests are sought to be protected; (4) whether the action

is against a governmental or private party; and (5) the risk of unfairness to the opposing party from allowing an action against it to proceed anonymously. *James v. Jacobson*, 6 F.3d 233, 238–39 (4th Cir. 1993) (citations omitted). Upon considering Plaintiffs’ arguments in support of their motion, the undersigned finds that each of these factors weighs in favor of allowing Jill Doe, Jane Doe, and John Doe to proceed anonymously. Additionally, Defendant has not opposed Plaintiff’s motion. Accordingly, the motion for leave to proceed anonymously and to file true identity under seal is GRANTED.

IT IS SO ORDERED.

s/Jacquelyn D. Austin
United States Magistrate Judge

August 25, 2014
Greenville, South Carolina